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By: **Delegates Carter, Anderson, C. Davis, Dwyer, Fulton, McMillan, and  
Oaks**

Introduced and read first time: February 12, 2004

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Education - Baltimore City Public Schools - Employee Salaries**

3 FOR the purpose of prohibiting the Baltimore City Board of School Commissioners  
4 from compensating an employee more than a certain amount until the  
5 Baltimore City testing scores on the Maryland School Assessment reach the  
6 State average; requiring the State Department of Education to certify that the  
7 testing scores have reached the State average prior to an increase in salaries;  
8 and generally relating to the Baltimore City Public School System employee  
9 salaries.

10 BY repealing and reenacting, with amendments,  
11 Article - Education  
12 Section 4-311  
13 Annotated Code of Maryland  
14 (2001 Replacement Volume and 2003 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Education**

18 4-311.

19 (a) (1) Notwithstanding any provision of local law, the Board shall establish  
20 a personnel system governing certificated and noncertificated employees, including a  
21 performance-based system-wide personnel evaluation system for teachers,  
22 principals, and administrators.

23 (2) To carry out the requirements of this section, the Board may:

24 (i) Establish and abolish positions;

25 (ii) Determine employee qualifications;

1 (iii) Establish terms of employment, including compensation,  
2 benefits, holiday schedules, and leave policies; and

3 (iv) Determine any other matters concerning employees.

4 (3) (I) THE BOARD MAY NOT COMPENSATE A CERTIFICATED OR  
5 NONCERTIFICATED EMPLOYEE MORE THAN \$150,000 ANNUALLY UNTIL THE  
6 BALTIMORE CITY TESTING SCORES ON THE MARYLAND SCHOOL ASSESSMENT REACH  
7 THE STATE AVERAGE.

8 (II) THE STATE DEPARTMENT OF EDUCATION SHALL CERTIFY THAT  
9 BALTIMORE CITY HAS REACHED THE STATE AVERAGE BEFORE THE BOARD MAY  
10 INCREASE AN EMPLOYEE'S COMPENSATION TO AN AMOUNT GREATER THAN \$150,000.

11 (b) The personnel system shall provide fair and equitable procedures for:

12 (1) The redress of employee grievances; and

13 (2) The hiring, promotion, and termination of employees in accordance  
14 with law.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 July 1, 2004.